REMARKS / DISCUSSION OF ISSUES

Claims 1, 3, 4, 6 – 12, 14, 15 and 17 – 23 are pending in the application. Claims 1 and 12 are independent.

In the present response, the claims are not amended.

35 U.S.C. §101

Under 35 U.S.C. §101 the Office rejects claim 23, alleging that the claimed invention is directed to non-statutory subject matter. Applicants respectfully traverse.

According to *Ex parte Daughtrey*, Appeal 2008-000202 (BPAI, 7/31/2009), the BPAI decline to adopt a definition of the phrase "computer readable medium" that broadly includes signals, when the Appellant has clearly stated on the record that he did not intend the phrase to include signals. In other words the applicant either in the prosecution record or in the specification neither actively nor passively sought to encompass 'transmission medium (or media)' or 'carrier wave' within the meaning of computer readable medium.

In the present response, Applicants clarify that a transitory, propagating signal is excluded from the scope of the claim. Therefore, the claimed invention as recited in claim 23 is directed to statutory subject matter.

Withdrawal of the rejection of claim 23 under 35 U.S.C. §101 is respectfully requested.

35 U.S.C. §103

Under 35 U.S.C. §103(a), the Office rejects claims 1, 3, 4, 6 – 12, 14, 15 and 17 – 23 over Nakahara et al. (US 2003/0018491), hereinafter Nakahara and further in view of Andrews et al. (US 6,324,645 B1), hereinafter Andrews.

Applicants submit that for at least the following reasons, claims 1, 3, 4, 6 – 12, 14, 15 and 17 – 23 are patentable over Nakahara and Andrews.

For example, claim 1, in part, requires:

"*wherein the authorization certificate includes the domain identifier*

(Domain_ID) as a holder of the authorization certificate."

In the Office Action, page 6, the Office conceded that Nakahara does not explicitly disclose using the domain identifier as a holder of the authorization certificate. Applicants submit that Andrews does not in any way cure the deficiency present in Nakahara with respect to claim 1.

Andrews, column 9, lines 49 – 58, discloses:

> "The access label 216 identifies the domains and/or privileges for which the user 102 is authorized. It may take any number of forms. For example, access label 216 may include different extensions identifying and/or defining the relevant domains and privileges. In a preferred embodiment, access label 216 includes a domain identifier which identifies the domain 105 which the user 102 may access and all users who have authority to access the same domain 105 will have the same access label 216 in <u>their corresponding digital certificates</u>." (Emphasis added)

From the above passage, it is clear that Andrews only discloses the access label 216 including a domain identifier which identifies the domain 105 which the user 102 may access, and that all users who have authority to access the same domain 105 will have the same access label 216 in <u>their corresponding digital certificates</u>. Accordingly, one of ordinary skill in the art would recognize that the <u>users are the holders of their corresponding digital certificates</u>. However, nothing in Andrews teaches or suggests including the domain identifier as a holder of digital certificate. Therefore, Andrews also fails to teach or suggest the above claimed feature.

In view of at least the foregoing, Applicants submit that claim 1 is patentable over Nakahara and Andrews.

Similarly, independent claim 12, in part, requires:

> "*wherein the authorization certificate includes the domain identifier (Domain_ID) as a holder of the authorization certificate*."

Claim 12 is different from and should be interpreted independently of claim 1.

However, since claim 12 contains at least the similar distinguishing features as in claim 1, Applicants essentially repeat the above arguments for claim 1 and apply them to claim 12, pointing out why claim 12 is patentable over Nakahara and Andrews.

Dependent claims 3, 4, 6 – 11, 14, 15 and 17 – 23 respectively depend from and inherit all the respective features of either claim 1 or 12. Thus claims 3, 4, 6 – 11, 14, 15 and 17 – 23 are patentable for at least the same reasons discussed above with respect to each independent claim, from which they depend, with each dependent claim containing further distinguishing patentable features.

Withdrawal of the rejection of claims 1, 3, 4, 6 – 12, 14, 15 and 17 – 23 under 35 U.S.C. §103(a) is respectfully requested.

Conclusion

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the objection and rejections of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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